

FORM PTO-1390 (REV 11-98)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 1721-21
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) Unassigned 09 530 363
INTERNATIONAL APPLICATION NO. PCT/FR98/02320	INTERNATIONAL FILING DATE 29 October 1998	PRIORITY DATE CLAIMED 30 October 1997 #2
TITLE OF INVENTION METHOD FOR DIAGNOSING IN VITRO PATHOLOGIES ASSOCIATED WITH GENE ARRANGEMENTS AND DIAGNOSIS KITS		
APPLICANT(S) FOR DO/EO/US GABERT		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.</p> <p>5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</p> <p>b. <input type="checkbox"/> has been transmitted by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</p> <p>b. <input type="checkbox"/> have been transmitted by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has <b>NOT</b> expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11. To 16. Below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>16. <input checked="" type="checkbox"/> Other items or information. copy of Postcard Filing Receipt from April 28, 2000, indicating payment of late fee (\$840 &amp; \$130)</p>		

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.9) <b>Unassigned</b>	INTERNATIONAL APPLICATION NO. <b>PCT/FR98/02320</b>	ATTORNEY'S DOCKET NUMBER <b>1721-21</b>
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17. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5)):</b> -- Neither international preliminary examination fee (37 C.F.R. 1.482) nor international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO .....\$970.00 -- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....\$840.00 -- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO .....\$690.00 -- International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....\$670.00 -- International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) .....\$96.00  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div> <div style="display: flex; justify-content: flex-end; align-items: center;"> <div style="border: 1px solid black; padding: 2px 10px;">\$</div> <div style="border: 1px solid black; padding: 2px 10px;">0.00</div> </div> Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)). <div style="display: flex; justify-content: flex-end; align-items: center;"> <div style="border: 1px solid black; padding: 2px 10px;">\$</div> <div style="border: 1px solid black; padding: 2px 10px;">0.00</div> </div> <table border="1" style="width:100%; border-collapse: collapse; margin-top: 5px;"> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:15%;">NUMBER FILED</th> <th style="width:15%;">NUMBER EXTRA</th> <th style="width:15%;">RATE</th> <th style="width:15%;"></th> <th style="width:15%;"></th> </tr> <tr> <td>Total Claims</td> <td>20</td> <td>-20 =</td> <td>0</td> <td>X</td> <td>\$18.00</td> </tr> <tr> <td>Independent Claims</td> <td>3</td> <td>-3 =</td> <td>0</td> <td>X</td> <td>\$78.00</td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIMS(S) (if applicable)</td> <td></td> <td>\$260.00</td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td></td> <td>\$ 0.00</td> </tr> </table> Reduction by ½ for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 C.F.R. 1.9, 1.27, 1.28). <div style="display: flex; justify-content: flex-end; align-items: center;"> <div style="border: 1px solid black; padding: 2px 10px;">\$</div> <div style="border: 1px solid black; padding: 2px 10px;">0.00</div> </div> <div style="display: flex; justify-content: flex-end; align-items: center; margin-top: 5px;"> <div style="border: 1px solid black; padding: 2px 10px;"><b>SUBTOTAL =</b></div> <div style="border: 1px solid black; padding: 2px 10px;">\$</div> <div style="border: 1px solid black; padding: 2px 10px;">0.00</div> </div> Processing fee of \$130.00, for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)). <div style="display: flex; justify-content: flex-end; align-items: center; margin-top: 5px;"> <div style="border: 1px solid black; padding: 2px 10px;"><b>TOTAL NATIONAL FEE =</b></div> <div style="border: 1px solid black; padding: 2px 10px;">\$</div> <div style="border: 1px solid black; padding: 2px 10px;">0.00</div> </div> Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property <div style="display: flex; justify-content: flex-end; align-items: center; margin-top: 5px;"> <div style="border: 1px solid black; padding: 2px 10px;">\$</div> <div style="border: 1px solid black; padding: 2px 10px;">0.00</div> </div> Fee for Petition to Revive Unintentionally Abandoned Application (\$1210.00 – Small Entity = \$605.00) <div style="display: flex; justify-content: flex-end; align-items: center; margin-top: 5px;"> <div style="border: 1px solid black; padding: 2px 10px;"><b>TOTAL FEES ENCLOSED =</b></div> <div style="border: 1px solid black; padding: 2px 10px;">\$</div> <div style="border: 1px solid black; padding: 2px 10px;">0.00</div> </div> <div style="display: flex; justify-content: flex-end; align-items: center; margin-top: 10px;"> <div style="border: 1px solid black; padding: 2px 10px;">Amount to be:</div> <div style="border: 1px solid black; padding: 2px 10px;">refunded</div> <div style="border: 1px solid black; padding: 2px 10px;">\$</div> <div style="border: 1px solid black; padding: 2px 10px;"></div> </div> <div style="display: flex; justify-content: flex-end; align-items: center; margin-top: 5px;"> <div style="border: 1px solid black; padding: 2px 10px;">Charged</div> <div style="border: 1px solid black; padding: 2px 10px;">\$</div> <div style="border: 1px solid black; padding: 2px 10px;"></div> </div>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total Claims	20	-20 =	0	X	\$18.00	Independent Claims	3	-3 =	0	X	\$78.00	MULTIPLE DEPENDENT CLAIMS(S) (if applicable)					\$260.00	<b>TOTAL OF ABOVE CALCULATIONS =</b>					\$ 0.00	<b>CALCULATIONS</b> PTO USE ONLY
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																												
Total Claims	20	-20 =	0	X	\$18.00																										
Independent Claims	3	-3 =	0	X	\$78.00																										
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)					\$260.00																										
<b>TOTAL OF ABOVE CALCULATIONS =</b>					\$ 0.00																										

  

a. <input checked="" type="checkbox"/> A check in the amount of \$0.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 14-1140 in the amount of \$_____ to cover the above fees. A duplicate copy of this form is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed. d. <input type="checkbox"/> The entire content of the foreign application(s), referred to in this application is/are hereby incorporated by reference in this application.  <b>NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>	<div style="text-align: center; margin-top: 20px;">             _____            SIGNATURE         </div> <div style="text-align: center; margin-top: 20px;"> <b>B.J. Sadoff</b>            _____            NAME         </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <b>36,663</b>            _____            REGISTRATION NUMBER         </div> <div style="text-align: center;"> <b>May 1, 2000</b>            _____            Date         </div> </div>
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**SEND ALL CORRESPONDENCE TO:**  
 NIXON & VANDERHYE P.C.  
 1100 North Glebe Road, 8<sup>th</sup> Floor  
 Arlington, Virginia 22201  
 Telephone: (703) 816-4000

COPY

Transmittal National Phase

Serial No.: PCIT 98/08320 Atty: BIS  
Applicant: Gabert Date: 4-28-00  
Title: Method for Diagnosing Client: 1721  
in vivo Pathologies, etc. Ref: 21

X Amendment 11 English Translations  
32 Pages Specification 1 Original app  
15 Claims  
Sheets Drawings: Formal 1 Informal 1

Declaration ( X ) Pages 32 English Translations ANNEXES  
Assignment 32 and Claims  
Priority Document Page 32  
Base Issue Fee Transmittal (pages 1-5, 15 claims)  
Fee (Check) 970

Other: Letter with paper and computer  
readable Sequence List (2 pages)  
PTD-1449 & ISR